

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:12-cr-254-MOC**

**UNITED STATES OF AMERICA,**

**vs.**

**JAVOTA JETER,**

Defendant.

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**ORDER**

**THIS MATTER** comes before the Court on Defendant’s pro se “Motion for Reconsideration,” (Doc. No. 99), which appears in substance to be a Motion for Compassionate Release/Reduction of Sentence based on the COVID-19 pandemic. Defendant, an inmate at FCI Forrest City Medium in Forrest City, Arkansas, seeks a reduction of his sentence based on the COVID-19 pandemic. Title 18, Section 3582(c)(1)(A)(i) authorizes criminal defendants to request compassionate release from imprisonment based on “extraordinary and compelling reasons.” But before doing so, they must at least ask the Bureau of Prisons to do so on their behalf and give the Bureau thirty days to respond. See United States v. Raia, No. 20-1033, 2020 WL 1647922, at \*1 (3d Cir. Apr. 2, 2020). Here, as the Government asserts in its brief in opposition, Defendant has not provided the Bureau with thirty days to evaluate his compassionate release request before filing his motion in this Court. Thus, he has not exhausted his administrative remedies.

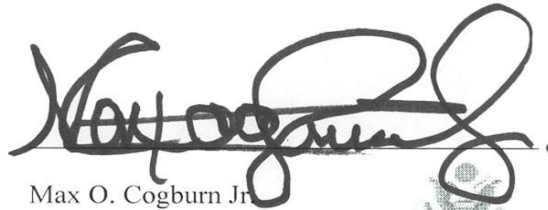
In sum, because Defendant has not exhausted available administrative remedies, the Court denies Defendant’s motion.

**ORDER**

**IT IS, THEREFORE, ORDERED** that Defendant’s pro se “Motion for Reconsideration,” (Doc. No. 99), is **DENIED**, without prejudice to Defendant to refile the motion after he has

exhausted his remedies with the BOP.

Signed: February 11, 2021



Max O. Cogburn Jr.  
United States District Judge